

# JUDICIARY

## FINANCIAL SUMMARY

	FY 2002 EXPENDITURE	FY 2003 APPROPRIATION	FY 2004 REQUEST	GOVERNOR RECOMMENDS FY 2004
Supreme Court	\$ 4,557,989	\$ 4,618,694	\$ 4,663,718	\$ 4,676,546
Office of State Courts Administrator	24,838,796	33,529,357	33,634,246	33,667,026
Courts of Appeal	10,182,002	10,219,638	10,219,680	10,229,675
Circuit Courts	108,967,680	114,521,703	115,737,045	116,858,791
Commission on Retirement, Removal, and Discipline of Judges	179,494	222,605	222,605	222,605
Appellate Judicial Commission	4,785	10,550	18,802	18,802
Senior Judge Compensation	643,061	500,000	500,000	0
<b>TOTAL</b>	<b>\$ 149,373,807</b>	<b>\$ 163,622,547</b>	<b>\$ 164,996,096</b>	<b>\$ 165,673,445</b>
General Revenue Fund	140,517,393	142,198,592	142,237,261	142,898,879
Federal Funds	3,660,881	15,488,232	16,426,112	16,434,894
Third Party Liability Collections Fund	254,279	345,869	345,869	347,634
Statewide Court Automation Fund	4,679,690	4,694,854	4,694,854	4,700,038
Supreme Court Publications Revolving Fund	79,980	80,000	125,000	125,000
Missouri CASA Fund	0	200,000	200,000	200,000
Crime Victims' Compensation Fund	0	0	352,000	352,000
Supreme Court Administrative Revolving Fund	22,583	90,000	90,000	90,000
Domestic Relations Resolution Fund	159,001	500,000	500,000	500,000
Fine Collections Center				
Interest Revolving Fund	0	25,000	25,000	25,000
<b>Full-time equivalent employees</b>	<b>3,362.90</b>	<b>3,428.60</b>	<b>3,441.10</b>	<b>3,441.10</b>

## POLICY SUMMARY

The Governor recommends \$165,673,445 to enable the Judiciary to fulfill its constitutional responsibilities.

**COURT AUTOMATION:** Technological improvements often lead to increased efficiencies and accessibility in government. Faced with ever more crowded dockets and reporting demands, a commitment to technological innovation must be fundamental in the Missouri judicial system. The ongoing implementation of the Electronic Courts Project 2004 as authorized in SB 420 (1994) is leading to a more efficient and accessible Missouri court system. At the end of Fiscal Year 2003, this project will serve approximately 50 percent of the judicial caseload and 54 percent of Missouri's population. To continue this innovative use of information technology, the Governor recommends:

- \$352,000 other funds for ongoing support for court automation.

## **JUDICIARY**

### **SUPREME COURT**

The Supreme Court hears appeals in several categories of legal cases, handles original proceedings concerning extraordinary remedies, and exercises control over courts. The court discharges these duties by hearing oral arguments and interpreting and applying pertinent laws in order to decide cases on appeal. Lower courts are supervised through the promulgation and revision of rules. The court also licenses and disciplines attorneys of the state bar.

#### **Fiscal Year 2004 Governor's Recommendations**

- \$45,000 federal funds for publication expenses.
- \$12,852 for pay plan.

### **OFFICE OF STATE COURTS ADMINISTRATOR**

The Office of State Courts Administrator fulfills the administrative obligations of the Supreme Court, which are mandated under the judicial article and the statutes. Staff of the office provides technical assistance, statistical analysis, financial system analysis, and continuing education functions for the courts. The office assists in policy direction for the Statewide Judicial Information System (SWJIS), collects and analyzes caseload data from the courts, develops and operates appellate and circuit record-keeping systems, develops and operates administrative systems, prepares the judicial budget, and maintains the personnel system for the courts. A central transcribing service prepares typed transcripts from sound recordings when needed for appeals or other purposes as required by statute. The office processes payrolls for all state-paid circuit court employees and all other state expenditures of the Supreme Court and circuit courts.

#### **Fiscal Year 2004 Governor's Recommendations**

- \$427,380 federal funds and 12 staff for implementation of the case management system.
- \$352,000 other funds to continue support for statewide court automation.
- \$32,789 for pay plan, including \$24,905 general revenue.
- (\$600,000) federal funds core reduction from the Fiscal Year 2003 appropriation level.
- (\$60,000) other funds reallocated to circuit courts.
- (\$14,500) federal funds for one-time expenditures.

## JUDICIARY

### COURTS OF APPEAL

The Missouri Courts of Appeal are constitutionally and statutorily authorized courts charged with hearing and deciding original remedial writs and appeals from all the counties in the state. The courts consist of 11 appeals judges in the Western District, 14 appeals judges in the Eastern District, and 7 appeals judges in the Southern District.

#### Fiscal Year 2004 Governor's Recommendations

- \$10,037 for pay plan.

	FY 2002 EXPENDITURE	FY 2003 APPROPRIATION	GOVERNOR RECOMMENDS FY 2004
Western District	\$ 3,431,648	\$ 3,418,043	\$ 3,422,511
Eastern District	4,440,735	4,474,767	4,478,806
Southern District	2,309,619	2,326,828	2,328,358
TOTAL	\$ 10,182,002	\$ 10,219,638	\$ 10,229,675
Personal Service	8,649,974	8,742,734	8,752,771
Expense and Equipment	1,532,028	1,476,904	1,476,904
TOTAL			
General Revenue Fund	\$ 10,182,002	\$ 10,219,638	\$ 10,229,675

Full-time equivalent employees	159.78	165.65	165.65
--------------------------------	--------	--------	--------

### CIRCUIT COURTS

Circuit courts are established by Article V, Section 15 of the Constitution of Missouri. The boundaries, circuit number, and inclusive counties of the 45 circuits are established by Chapter 478, RSMo. The circuit court is the exclusive trial court in Missouri. It is comprised of circuit judges, associate circuit judges, and municipal judges. Municipalities under 400,000 population may, and those over 400,000 must, make provision for judges to hear municipal ordinance violations. If such provision is not made, municipalities will file such cases before an associate circuit judge.

#### Fiscal Year 2004 Governor's Recommendations

- \$1,125,000 federal funds to expand treatment and services in drug courts.
- \$30,330 and .5 staff for statutorily mandated judgeship conversion.
- \$1,122,758 for pay plan, including \$1,114,911 general revenue.
- \$500,000 and nine staff transferred from senior judge compensation for the continued compensation of senior judges.
- \$60,000 other funds reallocated from the Office of State Courts Administrator.
- (\$501,000) core reduction from the Fiscal Year 2003 appropriation level.

## **JUDICIARY**

### **COMMISSION ON RETIREMENT, REMOVAL, AND DISCIPLINE OF JUDGES**

The Commission on Retirement, Removal, and Discipline of Judges, authorized in Article V, Section 27 of the Missouri Constitution, receives and investigates all requests and suggestions concerning retirement for disability and all complaints concerning misconduct of judges, members of the judicial commissions, and members of this commission. The commission is composed of two citizens who are not members of the bar and who are appointed by the Governor, two lawyers appointed by the governing body of the Missouri Bar, one judge of the Courts of Appeal selected by a majority of the judges of the Courts of Appeal, and one judge of the circuit courts selected by a majority of the circuit judges of this state.

#### **Fiscal Year 2004 Governor's Recommendations**

Continue funding at the current level.

### **APPELLATE JUDICIAL COMMISSION**

The Appellate Judicial Commission consists of a judge of the Supreme Court, one member of the bar from each appeals district, and one citizen not a member of the bar from each appeals district. The commission considers vacant judgeships of the Supreme Court or the Courts of Appeal. The Circuit Judicial Commission consists of the chief judge of the Courts of Appeal over the district, two members of the bar residing in the judicial circuit, and two citizens not members of the bar residing in the circuit. This commission considers vacancies in the office of circuit judge or associate circuit judge in those districts subject to nonpartisan selection of judges.

#### **Fiscal Year 2004 Governor's Recommendations**

- \$8,252 for election costs in the Western District.

### **SENIOR JUDGE COMPENSATION**

Legislation enacted in 1988 encouraged the use of senior retired judges to help alleviate the problems associated with rapidly growing caseloads in the circuit and appellate courts by providing compensation for their services. Senior judges are being used to increase the disposition rates in high-volume courts, in courts where there are temporary vacancies due to retirement and illness, and in individual cases where conflict of interest or other needs arise.

#### **Fiscal Year 2004 Governor's Recommendations**

- (\$500,000) and (nine) staff transferred to circuit courts for the continued compensation of senior judges.